

Applicant requests that the Examiner consider the references listed on the form PTO-1449 submitted with the Information Disclosure Statement filed on May 12, 2004, and return an initialed copy of the form in the next Office Action.

II. Claim Rejections - 35 U.S.C. § 102

The Examiner has rejected claims 1-7 and 13 under 35 U.S.C. § 102(b) as being anticipated by Richard (US 5,633,762) [“Richard”]. For at least the following reasons, Applicant traverses the rejection.

Claim 1 recites a portable radio that comprises “a reflecting member that reflects said light rays ... at an enlarged scale.” (emphasis added). The Examiner does not rebut Applicant’s argument filed on April 27, 2004, that Richard does not disclose or suggest that optical element 30, which the Examiner contends corresponds to the claimed reflecting member, enlarges the displayed image. Therefore, Applicant hereby incorporates the arguments, with respect to claim 1, as set forth in the April 27 filing in their entirety.

In addition, the Examiner contends that elements 36, 38 and 30 (element 30 was newly added in this Office Action) of Richard correspond to the claimed display device as set forth in claim 1. Applicant submits that optical element 30 cannot correspond to two separate claimed elements, and the Examiner’s contention that optical element 30 corresponds to both a reflecting member and a portion of a display device is improper. Optical element 30 must either allegedly correspond to the claimed display device or the claimed reflecting member, but not both.

If, for the sake of argument alone, optical element 30 (along with elements 36 and 38) did correspond to the claimed display device, then the claimed “displayed image projected from said

display device to said reflecting member” is not disclosed by Richard since the image projected from optical element 30 (alleged display device) is not sent to a reflecting member (see fig. 3).

Because claims 1-7 and 13 depend on claim 1, Applicant submits that these claims are patentable at least by virtue of their dependency.

In addition, the Examiner responds to Applicant’s arguments, with respect to claims 4 and 7, by now contending that optical element 30 is incorporated into the display device and also that figs. 2 and 3 show the claimed angular movement of the display device.

For the reasons stated in claim 1, Applicant submits that the optical element 30 can only allegedly correspond to one claimed element. Therefore, to the extent optical element 30 allegedly corresponds to the claimed reflecting member, Applicant incorporates the arguments of the April 27 filing.

III. Allowable Subject Matter

Applicant thanks the Examiner for allowing claims 9-12 and for finding allowable subject matter in claims 8 and 14. Applicant holds rewriting claims 8 and 14 in independent form until the subject matter regarding claim 1 is resolved.

In the reasons for allowance of claim 9-12, the Examiner contends some claimed elements allegedly correspond to elements disclosed in Richard. Applicant does not necessarily agree with the Examiner’s analysis. In addition, with respect to claims 8, there is no recitation of “small-size” display device or a “flat” lid.


Accordingly, Applicant submits that the subject matter in each individual claim is allowable based on its own language, and not based on any paraphrasing or addition of language that may be made by the Examiner.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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